

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

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|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Criminal Action No. |
| |) | 12-00282-01-CR-W-BCW |
| WENDELL ISAAC, |) | |
| |) | |
| Defendant. |) | |

REPORT AND RECOMMENDATION

On September 10, 2013, defendant filed a motion for judicial determination of mental competency. He was examined by Dr. Dia Boutwell, a clinical psychologist, in Lexington, Kentucky, who found that defendant was competent in a report dated January 31, 2014.

On February 25, 2014, I held a competency hearing. Defendant was present, represented by appointed counsel David Kelly. The government was represented by Assistant United States Attorney Mike Green. The parties stipulated to the contents and findings of Dr. Boutwell (Tr. at 3-5).¹

Based upon the uncontroverted evidence stipulated to by the parties in this case, I find that the defendant is competent to stand trial and to assist in his defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding

¹"Tr." refers to the transcript of the competency hearing held on February 25, 2014.

defendant competent to stand trial and to assist in his defense.

Counsel waived the 14-day objection period set forth in 28 U.S.C. § 636(b)(1) (Tr. at 4-5). Any objections to this Report and Recommendation shall be filed by March 7, 2014.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
March 5, 2014